

REMARKS

Applicants have received a Notice of Allowance mailed on June 22, 2007. In reviewing the file, Applicants note that one of the references has not been initialed by the Examiner on the 1449 Form. The Information Disclosure Statement had been originally submitted on August 2, 2006. After receiving a Notice of Allowance mailed November 27, 2006, Applicants brought this uninitialed 1449 to the attention of the Examiner in a communication mailed February 8, 2007. Applicants respectfully request the Examiner to consider the information cited on the Information Disclosure Statement and return an initialed copy of the 1449 with the next communication.

Comments on Statement of Reasons for Allowance

In the Examiner's comments that accompanied the reasons for allowance mailed on June 22, 2007, the Examiner states that the co-pending patent application 11/331,392 "claims exactly the same subject matter of this patent application 10/731,564 and is advised to cancel in order to overcome the Double Patenting issue." Applicants disagree with this statement, and point out that the Examiner has taken a record position different from this statement.

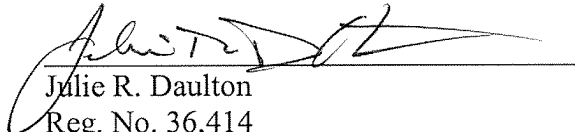
Specifically, in Application 11/331,392, in an Office Action mailed May 31, 2007, the Examiner stated that the claims are not identical, although they are not patentably distinct from each other. In that Office Action in Application 11/331,392, the Examiner put forth a provisional obviousness-type double patenting rejection. In a response filed on June 14, 2007, Applicant submitted a terminal disclaimer to address the provisional obviousness-type double patenting rejection. Applicants also note, for the record, that the claims of Application 11/331,392 are different in scope from the claims from this patent application 10/731,564. Applicants note that the same Examiner is handling both Application 11/331,392 and Application 10/731,564, so the Examiner has full access to both file histories. If, however, the Examiner would like additional copies of the claims in co-pending Patent Application 11/331,392, the Examiner is invited to telephone the undersigned who will be happy to provide the Examiner with an extra copy.

Applicants have reviewed the Examiner's statement of reasons for allowance with respect to the pending claims. Applicants respectfully submit that there are many reasons for allowance, and the Examiner has not cited all of the reasons for allowance.

If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,
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